

REMARKS/ARGUMENTS

Claims 1, 5, 7, 9-10, 12-16, 20, 22, 24-25, 27-31, 35, 37, 39-40, and 42-45 are pending in the application.

Applicants thank Examiner Ahmed for indicating that claims 1, 5, 7, 9-10, 12-16, 20, 22, 24-25, and 27-31 are allowed.

Claims 35, 37, 39, and 40 are rejected under 35 U.S.C. 101 as being directed to non-statutory subject matter. The Examiner cites Applicants' Specification, paragraph 55, in the rejection. Applicants respectfully traverse, but, in order to expedite prosecution, Applicants have amended Applicants' Specification, paragraph 55.

Claims 42-45 are rejected under 35 U.S.C. 101 as being directed to non-statutory subject matter. The Examiner cites Applicants' Specification, paragraph 55, in the rejection. Applicants respectfully traverse, but, in order to expedite prosecution, Applicants have amended Applicants' Specification, paragraph 55.

Also, Applicants have amended the article of manufacture claims 31, 35, 37, 39-40, and 42-45 to describe: an "article of manufacture comprising a computer readable medium storing code for static load balancing, wherein the code, when executed on a processor, is operable to".

Applicants' Specification, paragraph 55, describes: a computer readable medium, such as magnetic storage medium (e.g., hard disk drives, floppy disks,, tape, etc.), optical storage (CD-ROMs, optical disks, etc.), volatile and non-volatile memory devices (e.g., EEPROMs, ROMs, PROMs, RAMs, DRAMs, SRAMs, firmware, programmable logic, etc.).

Applicants believe that this places claims 35, 37, 39-40, and 42-45 in condition for allowance.

Amdt. dated July 8, 2009
Reply to Office action of April 8, 2009

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Conclusion

Should any additional fees be required beyond those paid, please charge Deposit Account No. 50-0585.

The attorney of record invites the Examiner to contact her at (310) 553-7973 if the Examiner believes such contact would advance the prosecution of the case.

Dated: July 8, 2009

By: ___/Janaki K. Davda/_____

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